

5-608.

(a) Except as otherwise provided in this section, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle with respect to a Schedule I or SCHEDULE II narcotic drug is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$25,000 or both.

(b) (1) A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section shall be sentenced to imprisonment for not less than 10 years and is subject to a fine not exceeding \$100,000 if the person previously has been convicted once:

(i) under subsection (a) of this section OR § 5-609 OF THIS SUBTITLE;

(ii) of conspiracy to commit a crime included in subsection (a) of this section OR § 5-609 OF THIS SUBTITLE; or

(iii) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section OR § 5-609 OF THIS SUBTITLE if committed in this State.

(c) (1) A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section shall be sentenced to imprisonment for not less than 25 years and is subject to a fine not exceeding \$100,000 if the person previously:

(i) has served at least one term of confinement of at least 180 days in a correctional institution as a result of a conviction under subsection (a) of this section, § 5-609 OF THIS SUBTITLE, or § 5-614 of this subtitle; and

(ii) has been convicted twice, if the convictions arise from separate occasions:

1. under subsection (a) of this section OR § 5-609 OF THIS SUBTITLE;

2. of conspiracy to commit a crime included in subsection (a) of this section OR § 5-609 OF THIS SUBTITLE;

3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section OR § 5-609 OF THIS SUBTITLE if committed in this State; or

4. of any combination of these crimes.

(d) (1) A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section shall be sentenced to imprisonment for not less than 40 years and is subject to a fine not exceeding \$100,000 if the person previously has served three or more separate terms of confinement as a result of three or more separate convictions: